

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA**

JAMES TURNER,

Plaintiff,

v.

WARDEN MARBERRY,

Defendant.

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2:10-cv-147-WTL-DML

Entry and Order Directing Dismissal of Action


Mr. Turner is confined in this District and seeks an emergency temporary interruption in the service of his sentence to attend to his mother during the end stages of her terminal illness.

The court is sympathetic to Mr. Turner's circumstances, but is without the authority to grant the relief he seeks. That authority, if it exists, lies with the sentencing court, not the court for the District in which he is confined. "Subject-matter jurisdiction is the first question in every case, and if the court concludes that it lacks jurisdiction it must proceed no further." *State of Illinois v. City of Chicago*, 137 F.3d 474, 478 (7th Cir. 1998).

The action is dismissed pursuant to 28 U.S.C. § 1915A(b). Judgment consistent with this Entry shall now issue.

IT IS SO ORDERED.

Date: 06/30/2010



Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana